

RECEIVED  
CENTRAL FAX CENTER  
JUL 26 2005

PATENTS

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	)	Conf. No.:	9355
<b>Ghosh, et al.</b>	)	Examiner:	M. C. Flood
	)		
Serial No.: 10/698,863	)	Art Unit:	1654
	)		
Filed: November 3, 2003	)	Attorney Doc. No.	C261.1030.1
	)		
For A Method of Treating and/or Preventing	)		
Asthma Using Natural Compound Luteolin	)		

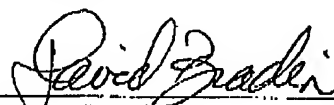
**PETITION FOR THREE MONTHS EXTENSION OF TIME**

Commissioner for Patents  
P O Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Applicants petition the Commissioner of Patents and Trademarks to extend the time for response to the Office Action mailed January 26, 2005, for three months July 26, 2005. The Commissioner is hereby authorized to charge Deposit Account No. 09-0528 for the Petition fee of \$1,020.00 and/or any deficiency in the payment of the required fee(s) or credit any overpayment. This document is submitted in duplicate for accounting purposes.

Date: July 26, 2005

  
David S. Bradin  
Attorney for Applicant  
Registration No. 37,783

Docket: C261.1030.1 (51081.0003.8)  
Womble Carlyle Sandridge & Rice, PLLC  
Post Office Box 7037  
Atlanta, Georgia 30357-00378  
Telephone (919) 484-2382  
Facsimile (919) 484-2084

07/27/2005 SFELEKE1 00000073 090528 10698863  
01 FC:1253 1020.00 DA

JUL 26 2005

<b>FEE TRANSMITTAL for FY 2003</b>				<i>Complete if Known</i>																																																																																																																																																																																					
<i>Patent fees are subject to annual revision.</i>				Application Number 10/698,863																																																																																																																																																																																					
<input type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27				Filing Date 11/3/2003																																																																																																																																																																																					
				First Named Inventor Ghosh, et al.																																																																																																																																																																																					
				Examiner Name M. C. Flood																																																																																																																																																																																					
				Group Art Unit 1654																																																																																																																																																																																					
<b>TOTAL AMOUNT OF PAYMENT (\$)</b> 1,020.00				New Attorney Docket No. C261 1030.1																																																																																																																																																																																					
<b>METHOD OF PAYMENT (check all that apply)</b>				<b>FEE CALCULATION (continued)</b>																																																																																																																																																																																					
<input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account				<b>3. ADDITIONAL FEES</b>																																																																																																																																																																																					
Deposit Account Number 09-0528 Deposit Account Name Womblo Carlyle Sandridge & Rice The Commissioner is hereby authorized to: (check all that apply) <input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input type="checkbox"/> Charge any additional fee(s) during the pendency of this application <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee In the above-identified deposit account				<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for ex parte reexamination</td><td></td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>1252</td><td>420</td><td>2252</td><td>210</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>1253</td><td>850</td><td>2253</td><td>475</td><td>Extension for reply within third month</td><td>1,020.00</td></tr> <tr><td>1254</td><td>1,400</td><td>2254</td><td>740</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>1255</td><td>2010</td><td>2255</td><td>1005</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>1401</td><td>300</td><td>2401</td><td>165</td><td>Notice of Appeal</td><td></td></tr> <tr><td>1402</td><td>330</td><td>2402</td><td>165</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1403</td><td>290</td><td>2403</td><td>145</td><td>Request for oral hearing</td><td></td></tr> <tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>1453</td><td>1,330</td><td>2453</td><td>665</td><td>Petition to revive unintentional</td><td></td></tr> <tr><td>1501</td><td>1,330</td><td>2501</td><td>665</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>1502</td><td>480</td><td>2502</td><td>240</td><td>Design issue fee</td><td></td></tr> <tr><td>1503</td><td>840</td><td>2503</td><td>420</td><td>Plant issue fee</td><td></td></tr> <tr><td>1400</td><td>130</td><td>1400</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Processing fee under 37 CFR 1.17(a)</td><td></td></tr> <tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>1809</td><td>770</td><td>2809</td><td>385</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td>1810</td><td>770</td><td>2810</td><td>385</td><td>For each additional invention to be examined (37 CFR 1.120(b))</td><td></td></tr> <tr><td>1801</td><td>770</td><td>2801</td><td>385</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> </tbody> </table>				Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1051	130	2051	65	Surcharge - late filing fee or oath		1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet		1053	130	1053	130	Non-English specification		1812	2,520	1812	2,520	For filing a request for ex parte reexamination		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		1251	110	2251	55	Extension for reply within first month		1252	420	2252	210	Extension for reply within second month		1253	850	2253	475	Extension for reply within third month	1,020.00	1254	1,400	2254	740	Extension for reply within fourth month		1255	2010	2255	1005	Extension for reply within fifth month		1401	300	2401	165	Notice of Appeal		1402	330	2402	165	Filing a brief in support of an appeal		1403	290	2403	145	Request for oral hearing		1451	1,510	1451	1,510	Petition to institute a public use proceeding		1452	110	2452	55	Petition to revive - unavoidable		1453	1,330	2453	665	Petition to revive unintentional		1501	1,330	2501	665	Utility issue fee (or reissue)		1502	480	2502	240	Design issue fee		1503	840	2503	420	Plant issue fee		1400	130	1400	130	Petitions to the Commissioner		1807	50	1807	50	Processing fee under 37 CFR 1.17(a)		1806	180	1806	180	Submission of Information Disclosure Stmt		8021	40	8021	40	Recording each patent assignment per property (times number of properties)		1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))		1810	770	2810	385	For each additional invention to be examined (37 CFR 1.120(b))		1801	770	2801	385	Request for Continued Examination (RCE)		1802	900	1802	900	Request for expedited examination of a design application	
Large Entity		Small Entity		Fee Description	Fee Paid																																																																																																																																																																																				
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																																																						
1051	130	2051	65	Surcharge - late filing fee or oath																																																																																																																																																																																					
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																																																					
1053	130	1053	130	Non-English specification																																																																																																																																																																																					
1812	2,520	1812	2,520	For filing a request for ex parte reexamination																																																																																																																																																																																					
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																																					
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																																					
1251	110	2251	55	Extension for reply within first month																																																																																																																																																																																					
1252	420	2252	210	Extension for reply within second month																																																																																																																																																																																					
1253	850	2253	475	Extension for reply within third month	1,020.00																																																																																																																																																																																				
1254	1,400	2254	740	Extension for reply within fourth month																																																																																																																																																																																					
1255	2010	2255	1005	Extension for reply within fifth month																																																																																																																																																																																					
1401	300	2401	165	Notice of Appeal																																																																																																																																																																																					
1402	330	2402	165	Filing a brief in support of an appeal																																																																																																																																																																																					
1403	290	2403	145	Request for oral hearing																																																																																																																																																																																					
1451	1,510	1451	1,510	Petition to institute a public use proceeding																																																																																																																																																																																					
1452	110	2452	55	Petition to revive - unavoidable																																																																																																																																																																																					
1453	1,330	2453	665	Petition to revive unintentional																																																																																																																																																																																					
1501	1,330	2501	665	Utility issue fee (or reissue)																																																																																																																																																																																					
1502	480	2502	240	Design issue fee																																																																																																																																																																																					
1503	840	2503	420	Plant issue fee																																																																																																																																																																																					
1400	130	1400	130	Petitions to the Commissioner																																																																																																																																																																																					
1807	50	1807	50	Processing fee under 37 CFR 1.17(a)																																																																																																																																																																																					
1806	180	1806	180	Submission of Information Disclosure Stmt																																																																																																																																																																																					
8021	40	8021	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																																					
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))																																																																																																																																																																																					
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.120(b))																																																																																																																																																																																					
1801	770	2801	385	Request for Continued Examination (RCE)																																																																																																																																																																																					
1802	900	1802	900	Request for expedited examination of a design application																																																																																																																																																																																					
<b>1. BASIC FILING FEE</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr><td>1001</td><td>770</td><td>2001</td><td>385</td><td>Utility filing fee</td><td></td></tr> <tr><td>1002</td><td>340</td><td>2002</td><td>170</td><td>Design filing fee</td><td></td></tr> <tr><td>1003</td><td>530</td><td>2003</td><td>265</td><td>Plant filing fee</td><td></td></tr> <tr><td>1004</td><td>770</td><td>2004</td><td>385</td><td>Reissue filing fee</td><td></td></tr> <tr><td>1005</td><td>100</td><td>2005</td><td>50</td><td>Provisional filing fee</td><td></td></tr> </tbody> </table> <p style="text-align: right;"><b>SUBTOTAL (1) (\$)</b></p>				Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1001	770	2001	385	Utility filing fee		1002	340	2002	170	Design filing fee		1003	530	2003	265	Plant filing fee		1004	770	2004	385	Reissue filing fee		1005	100	2005	50	Provisional filing fee		<b>2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Total Claims</th> <th>-20** =</th> <th>Extra Claims</th> <th>Fee from below</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>Independent Claims</td> <td>-3** =</td> <td>0</td> <td>0</td> <td>0</td> </tr> <tr> <td>Multiple Dependent</td> <td></td> <td>0</td> <td>0</td> <td>0</td> </tr> </tbody> </table> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr><td>1202</td><td>18</td><td>2202</td><td>9</td><td>Claims in excess of 20</td><td></td></tr> <tr><td>1201</td><td>68</td><td>2201</td><td>43</td><td>Independent claims in excess of 3</td><td></td></tr> <tr><td>1203</td><td>290</td><td>2203</td><td>145</td><td>Multiple dependent claim, if not paid</td><td></td></tr> <tr><td>1201</td><td>68</td><td>2204</td><td>42</td><td>** Reissue independent claims over original patent</td><td></td></tr> <tr><td>1201</td><td>18</td><td>2205</td><td>9</td><td>** Reissue claims in excess of 20 and over original patent</td><td></td></tr> </tbody> </table> <p style="text-align: right;"><b>SUBTOTAL (2) (\$)</b></p>				Total Claims	-20** =	Extra Claims	Fee from below	Fee Paid	Independent Claims	-3** =	0	0	0	Multiple Dependent		0	0	0	Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1202	18	2202	9	Claims in excess of 20		1201	68	2201	43	Independent claims in excess of 3		1203	290	2203	145	Multiple dependent claim, if not paid		1201	68	2204	42	** Reissue independent claims over original patent		1201	18	2205	9	** Reissue claims in excess of 20 and over original patent																																																																																				
Large Entity		Small Entity		Fee Description	Fee Paid																																																																																																																																																																																				
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																																																						
1001	770	2001	385	Utility filing fee																																																																																																																																																																																					
1002	340	2002	170	Design filing fee																																																																																																																																																																																					
1003	530	2003	265	Plant filing fee																																																																																																																																																																																					
1004	770	2004	385	Reissue filing fee																																																																																																																																																																																					
1005	100	2005	50	Provisional filing fee																																																																																																																																																																																					
Total Claims	-20** =	Extra Claims	Fee from below	Fee Paid																																																																																																																																																																																					
Independent Claims	-3** =	0	0	0																																																																																																																																																																																					
Multiple Dependent		0	0	0																																																																																																																																																																																					
Large Entity		Small Entity		Fee Description	Fee Paid																																																																																																																																																																																				
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																																																						
1202	18	2202	9	Claims in excess of 20																																																																																																																																																																																					
1201	68	2201	43	Independent claims in excess of 3																																																																																																																																																																																					
1203	290	2203	145	Multiple dependent claim, if not paid																																																																																																																																																																																					
1201	68	2204	42	** Reissue independent claims over original patent																																																																																																																																																																																					
1201	18	2205	9	** Reissue claims in excess of 20 and over original patent																																																																																																																																																																																					
**or number previously paid, if greater. For Reissues, see above				Other fee (specify) _____ *Reduced by Basic Filing Fee Paid																																																																																																																																																																																					
<b>SUBTOTAL (3) (\$)</b> 1,020.00																																																																																																																																																																																									
<b>SUBMITTED BY</b>				<b>Complete (if applicable)</b>																																																																																																																																																																																					
Name (Print/Type) David S. Bradin				Registration No (Attorney/Agent) 37,783																																																																																																																																																																																					
Signature <i>David S. Bradin</i>				Telephone 1.919.484.2382																																																																																																																																																																																					
				Date July 26, 2005																																																																																																																																																																																					

WINSTON 1488630V1